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9 **MICHAEL L. STEVENS**

10 **UNITED STATES DISTRICT COURT**

11 **EASTERN DISTRICT OF CALIFORNIA**

12 THE UNITED STATES OF AMERICA)

Case No. CR S-04-289-WBS

13 Plaintiff,

14 vs.

15 MICHAEL L. STEVENS,

16 Defendant.

) **STIPULATION AND [PROPOSED]**
) **ORDER TO CONTINUE JUDGEMENT**
) **AND SENTENCING, HEARING ON**
) **DEFENDANT'S BRIEF, AND MODIFIED**
) **BRIEFING SCHEDULE**

) Date: May 29, 2007

) Time: **8:30 a.m.**

) Court: Hon. William B. Shubb.

17 Defendant MICHAEL L. STEVENS, by and through his attorney, Johnny L.

18 Griffin, III, and the United States of America, by and through Assistant U.S. Attorney

19 Matthew D. Segal, hereby agree and stipulate to continue the judgment and sentencing and

20 hearing on Defendant's Brief regarding the adverse consequences of the 100-to-1 ratio

21 disparity between cocaine base and powder cocaine, in the above captioned case from

22 April 2, 2007 to May 29, 2007 **at 8:30 a.m.**¹ This continuance is necessary to allow

23 counsel for Defendant additional time to review and discuss discovery with his client, and

24 draft and file the Memorandum of Points and Authorities in Support of Defendant's Brief.

25 ¹ The parties have been advised by this Court's Clerk May 29, 2007 **at 8:30 a.m.** is an available date and time for sentencing and a hearing on this matter.

The parties have agreed to adhere to the following modified briefing schedule:²

<u>Pleading</u>	<u>Filing Deadline</u>
Defendant's Brief	04/23/07
Government's Opposition	05/07/07
Defendant's Reply to Government's Opposition	05/14/07

Dated: March 28, 2007

Respectfully submitted,

/s/ Johnny L. Griffin, III
JOHNNY L. GRIFFIN, III
Attorney for MICHAEL STEVENS

Dated: March 28, 2007

Respectfully submitted,


/s/ Matthew D. Segal
MATTHEW D. SEGAL³
Assistant United States Attorney

ORDER

Based on these findings and pursuant to the stipulation of the parties, the Court hereby adopts the stipulation of the parties in its entirety as its order.

IT IS SO ORDERED.

Dated: March 28, 2007


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

² The United States Government, by stipulating to the briefing schedule is not waiving the argument that the defendant's brief is itself a breach of the plea agreement.

³ Assistant United States Attorney Matthew D. Segal telephonically authorized attorney Johnny L. Griffin, III to sign this Stipulation and Order on his behalf.